

SEP 16 2011

* JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JAMES F. CLARK,)	CASE NO. 7:11CV00442
)	
Petitioner,)	
)	<u>FINAL ORDER</u>
vs.)	
)	
DIRECTOR OF THE DEPARTMENT)	
OF CORRECTIONS,)	By: Glen E. Conrad
)	Chief United States District Judge
Respondent.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**
without prejudice as successive, and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a
constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is
DENIED.

ENTER: This 15th day of September, 2011.

[Signature: Glen E. Conrad]

Chief United States District Judge